

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEREMY LEVIN and DR. LUCILLE LEVIN,

Plaintiffs,

-v-

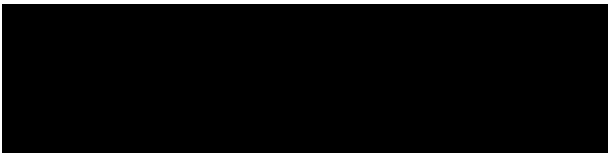
BANK OF NEW YORK, JP MORGAN
CHASE, SOCIETE GENERALE and
CITIBANK,

Defendants.

THE BANK OF NEW YORK MELLON,

Third-Party Plaintiff,

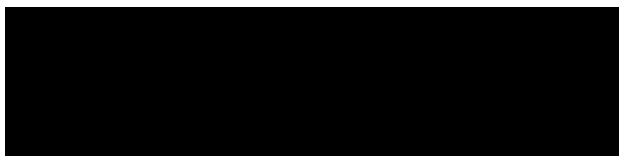
-v-



JPMORGAN CHASE BANK, N.A.,

Third-Party Plaintiff,

-v-



Civ. No. 09 CV 5900 (RPP)

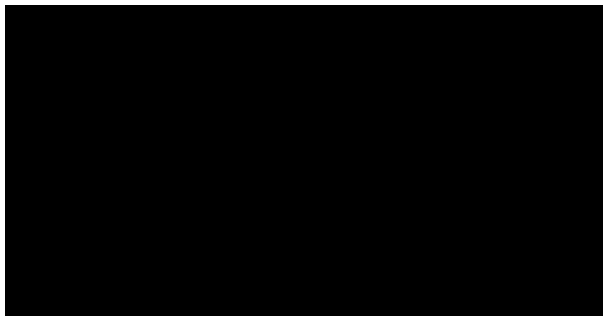
**ANSWER OF JEREMY LEVIN AND
DR. LUCILLE LEVIN TO AMENDED
CROSS-CLAIMS OF THE
PETERSON THIRD-PARTY
DEFENDANTS**

CAPTION CONTINUED ON NEXT PAGE

SOCIETE GENERALE,

Third-Party Plaintiff,

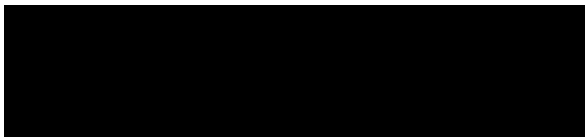
-v-



CITIBANK, N.A.,

Third-Party Plaintiff,

-v-



THE BANK OF NEW YORK MELLON,
JPMORGAN CHASE, N.A., SOCIETE
GENERALE and CITIBANK, N.A.,

Third-Party Plaintiffs,

-v-

STEVEN M. GREENBAUM, et al.

Third-Party Defendants.

Civ. No. 09 CV 5900 (RPP)

CAPTION CONTINUED ON NEXT PAGE

THE BANK OF NEW YORK MELLON,
JPMORGAN CHASE BANK, N.A.,
SOCIETE GENERALE and CITIBANK,
N.A.,

Third-Party Plaintiffs,

-v-

THE ESTATE OF JAMES SILVIA AND
LYNNE MICHO SPENCER, et al.,

Third-Party Defendants.

Civ. No. 09 CV 5900 (RPP)

**ANSWER OF JEREMY LEVIN AND DR. LUCILLE LEVIN TO
AMENDED CROSS-CLAIMS OF THE PETERSON THIRD-PARTY DEFENDANTS**

Plaintiffs (“Levins”), by their undersigned counsel, for their answer to the Amended Cross-Claims against Levins filed by Third-Party Defendant Deborah D. Peterson, *et al.* (the “Peterson Cross-Claims”) [Dkt. No. 216], allege as follows:

Nature of the Proceedings

1. Paragraph 1 of the Peterson Cross-Claims requires no responsive pleading. To the extent a response is required, the Levins Plaintiffs deny the allegations contained in paragraph 1 of the Peterson Cross-Claims.

2. Paragraph 2 of the Peterson Cross-Claims requires no responsive pleading. To the extent a response is required, the Levins Plaintiffs deny the allegations contained in paragraph 2 of the Peterson Cross-Claims, and/or lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 of the Peterson Cross-Claims; accordingly, such allegations are denied.

3. The Levins Plaintiffs lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 of the Peterson Cross-Claims; accordingly, such allegations are denied.

4. The Levins Plaintiffs lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 4 of the Peterson Cross-Claims; accordingly, such allegations are denied.

5. The Levins Plaintiffs lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5 of the Peterson Cross-Claims; accordingly, such allegations are denied.

6. The Levins Plaintiffs lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 6 of the Peterson Cross-Claims; accordingly, such allegations are denied.

7. The Levins Plaintiffs deny the allegations contained in paragraph 7 of the Peterson Cross-Claims.

8. The Levins Plaintiffs deny the allegations contained in paragraph 8 of the Peterson Cross-Claims.

DEFENSES

First Defense

The Levins Plaintiffs' claims are superior as a matter of law.

Second Defense

The Petersons and other Third-Party Defendants' writs are defective as a matter of law.

///

///

Third Defense

The Levins Plaintiffs have superior rights to the assets in question for the reasons set forth in their Complaint and Motion for Summary Judgment and Turnover and accompanying papers filed therewith.

Fourth Defense

The Peterson Cross-Claims fail to state a claim upon which relief may be granted.

Fifth Defense

The Peterson Cross-Claims should be dismissed because they are defective in that the cross-claims fail to specifically identify against whom relief is sought.

The Levins Plaintiffs reserve the right to assert additional affirmative defenses that may become apparent after additional discovery or otherwise.

WHEREFORE, the Levins Plaintiffs respectfully request that the Court enter judgment in their favor and against the Petersons dismissing the Peterson Cross-Claims with prejudice and awarding them costs, and such other relief as the Court deems appropriate.

Dated: July 27, 2010

HOWARTH & SMITH

By: /s/Suzelle M. Smith
Suzelle M. Smith
Don Howarth
523 West Sixth Street, Suite 728
Los Angeles, California 90014
(213) 955-9400
ssmith@howarth-smith.com

Attorneys for Plaintiffs